

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket NO. AB-101 (Sub-No. 17X)

**Duluth, Missabe and Iron Range Railway Company–Abandonment
Exemption–in St. Louis County, MN****BACKGROUND**

In this proceeding, Duluth, Missabe and Iron Range Railway (DM&IR) filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in to abandon a 2.0-mile portion of the Silver Branch between milepost S-0.0 and milepost S-2.0 in the City of Virginia, in St. Louis County, MN. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

In its petition, DM&IR states that Ferrellgas, Inc. is the only shipper or receiver of materials on this segment of trackage, receiving an annual average of 55 tank cars of propane between the years 1997-2001. According to DM&IR, Ferrellgas has discussed relocating its traffic to the Duluth Winnipeg & Pacific Railway Company's (DWP) yard located 1/4 mile west of its facility, so that it could be served by DWP. DM&IR states that the right-of-way traverses through a residential/light neighborhood, and that the surrounding land is flat. The right-of-way extends 50 feet on each side of the tracks.

ENVIRONMENTAL REVIEW

DM&IR submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post abandonment activities, including salvage and disposition of the right-of-way. DM&IR served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules at 49 CFR 1105.7(b). Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included: Department of Defense - Military Traffic Command Traffic Engineering Agency; Minnesota Department of Natural Resources; Minnesota Public Utilities Commission; Minnesota DNR,

Division of Waters; the U.S. Army Corps of Engineers; USDA National Resources Conservation Service; U.S. Environmental Protection Agency-Region 5; the U.S. Fish and Wildlife Service-Region 3; Mike Dombek, Chief, USDA Forest Service; Mr. Thomas E. Estabrooks, Pollution Control Specialists, Intermediate, Minnesota Pollution Control Agency; Mr. Dennis A. Gimmestady, MN State Historic Preservation Office; Mr. Andy Hubley, Arrowhead Regional Development Commission; Mr. Terry Leoni, Office of the City Department Director, City of Virginia; Mr. Gilbert Mitchell, National Geodetic Survey; Mr. Steven M. Savageau, Manager of Administrative Services, St. Louis County Historical Society; William W. Schenk, Superintendent, National Park Service - Midwest Region; and Elwyn Tinklenberg, Commissioner, MN Department of Transportation; and St. Louis County Commissioners.

CONDITIONS

We recommend no environmental conditions be placed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In this case, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

If abandonment and salvage of the rail line does not take place, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. However,

the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-101 (Sub-No. 17X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1629, the environmental contact for this case by phone at (202) 565-1629, fax at (202) 565-9002, or e-mail at Ann.Newman@stb.dot.gov.

Date made available to the public: July 5, 2002.

Comment due date: August 5, 2002.

By the Surface Transportation Board, Victoria A. Rutson, Chief, Section of Environmental Analysis.

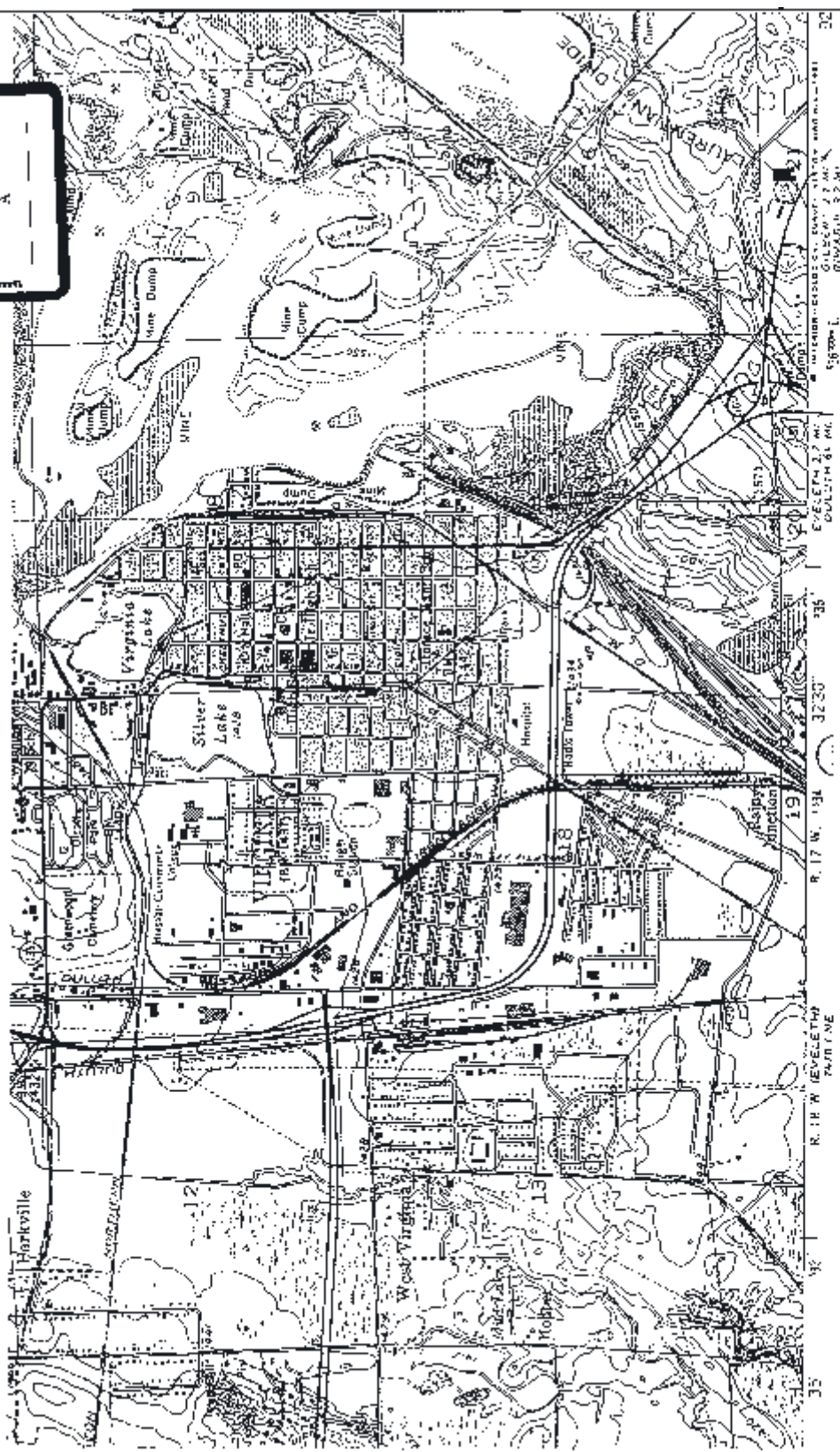
Vernon A. Williams
Secretary

Attachment

EXHIBIT

A

STB DOCKET NO. AB-101 (Sub No. 17A)



0M574 SILVER BRANCH
VIRGINIA, MINNESOTA

SCALE: 1"=1600'

ROAD CLASSIFICATION

- Heavy-duty 4 Lane 2 Lane
- Light-duty 4 Lane 2 Lane
- Medium-duty 4 Lane 2 Lane
- Unimproved 4 Lane 2 Lane
- U. S. Route
- State Route

